

#16/113  
6/21/2

## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Attorney Docket No.: 2950.33US02

Horne et al.

Application No.: 09/757,519

Examiner: J. Strickland

Filed: January 19, 2001

Group Art Unit: 1754

For: METAL VANADIUM OXIDE PARTICLES

PRELIMINARY AMENDMENT

Box RCE  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Prior to considering the enclosed RCE application, please consider the following remarks.

REMARKS

Claims 1-3, 6-18 and 22-26 are pending. Claims 11-16 and 18 have been found free of the cited art. Claims 1-3, 6-10, 17 and 22-26 stand rejected. Applicants respectfully request reconsideration of the rejections based on the following comments.

Applicants thank the Examiner for the courtesy extended to their undersigned representative in a phone interview on May 23, 2002. The Koksbang reference was discussed in the context of distinctions between the average particle size and particle size distributions. The Examiner suggested that the case could be advanced if Applicants addressed the issue of the selection of a particular subset of particles from a collection of particles with a broader distribution. Applicants indicated that they would provide an appropriate analysis with the filing of an RCE.

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